

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **May 24, 2011**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5		
6	Call to Order:	Mayor Liechty
7	Roll Call of City Council Members:	Mayor Liechty
8	Attendance:	D Astle, B Bagley, D Low, J Russell, D Calderwood
9	Excused:	
10	Pledge of Allegiance:	Mayor Liechty
11	Motivational Thought:	Mayor Liechty

12
13 **APPROVAL OF THE MINUTES:**

14 The Providence City Council will approve the minutes from May 10, 2011.

15 **Motion to approve the minutes with the following changes: J Russell, D Calderwood second**

16 Page 1 – Line 35 – next to Hampshire Park

17 Page 2 – Line 6 – asked if he has to transfer water shares

18 Line 12 – to reword

19 Page 3 – Line 16 – onsite presence of a Sheriff’s truck

20 Page 4 – Line 12 – what we the Council are here for

21 **Vote: Yea: B Bagley, D Low, D Astle, J Russell, D Calderwood**

22 **Nay: None**

23 **Abstain: None**

24 **Excused: None**

25
26 **PUBLIC COMMENTS:**

27 None

28
29 **BUSINESS ITEMS:**

30 **Item No. 1. Resolution No. 11-011:** The Providence City Council will consider for adoption a resolution appointing Carol Nymman to the position of Providence City Historian.

31 **Motion to approve: D Low, D Astle second**

32 J Russell thanked C Nyman for wanting to do this job. Would she want to be part of the Historic Commission?

33 D Castle believed that she would be part of the Historic Commission.

34 R Liechty met with K Seethaler and J Hicken and they felt like it was too much for her to be the secretary, the Historian and be on the Commission.

35 S Bankhead said that she will meet with C Nyman and figure out what her duties will be.

36 R Liechty said tonight we are voting to accept you as the City Historian.

37 D Astle said it was discussed that there would be a 6 year term limit with ability to go another 6 years.

38 J Russell said this position will go through the Council. The Historic Preservation Commission cannot decide what her duties will be. He understood that she would be the Historian, part of the Commission and take the minutes. If it is too much she can come and talk to the Council about her duties.

39 D Calderwood doesn’t see any conflict with being on the Commission and being the Historian.

40 D Astle feels like taking the minutes during the meeting is a lot to take on.

41 S Bankhead said at this time we don’t have the staff to absorb the secretarial duties of the Commission.

42 **Motion to amend the resolution to include a 6 year term with the opportunity for reappointment: D Astle, D Low second**

43 **Vote: Yea: B Bagley, D Calderwood, D Low, J Russell, D Astle**

44 **Nay: None**

45 **Abstain: None**

46 **Excused: None**

47
48 **Item No. 2. Resolution No. 11-012:** The Providence City Council will consider for adoption a resolution approving the Development Agreement for Alder Square Commercial Subdivision Phase 3 Lot 114.

49 **Motion to approve: D Astle, B Bagley second**

1 S Bankhead explained that the final plat has already been approved by the Planning Commission. The Planning Commission
2 approves the final plat, the Council approved the Development agreement and Max Pierce approves the construction
3 drawings. Nothing can be recorded until all 3 items have been approved. This development agreement will be recorded with
4 the final plat. The site work will be done by another company. The bond includes the off-site improvements.

5 B Bagley asked about the warranty period and the warranty bond.

6 S Bankhead explained the difference between the two.

7 B Bagley asked about the terms of agreement.

8 S Bankhead said some of the things they agree to go on for perpetuity. Everything in this agreement that is ongoing they will
9 live with for 20-30 years.

10 J Russell asked about water shares.

11 S Bankhead said no additional water is needed. They gave water shares during the first phase. There are also some dates left
12 blank because staff doesn't know the date until the construction drawings are approved.

13 B Bagley wants to make sure that the City knows what Sears is doing and what Amsource is required to do.

14 S Bankhead said that will be drawn out in the construction drawings.

15 J Russell asked if the developer would be able to split the lot if Sears decided not to come.

16 S Bankhead said the developer would have to start completely over with the Planning Commission.

17 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**

18 **Nay: None**

19 **Abstain: None**

20 **Excused: None**

21
22 **Item No. 3. Resolution 11-013:** The Providence City Council will consider for adoption a resolution approving the
23 Providence City Protection of Athletes with Head Injuries Concussion and Head Injury Policy.

24 **Motion to approve: D Low, D Calderwood second**

25 The Council suggested some spelling corrections.

26 S Bankhead pointed out that staff has talked to the City's coaches and they are scared to death of this resolution. State Code
27 says this section does not create a cause of action. If this fails the City and coaches should not be held responsible.

28 D Astle asked what the policy will do to increase the City's legal liability.

29 S Bankhead said that is what the cause of action is supposed to prevent.

30 D Astle said he feels like the coaches (agents) if they make a wrong call could cause the City to be held liable for injury.

31 S Bankhead said again that is what the cause of action is supposed to prevent. There is training available on line for coaches.
32 She feels this is a lot of responsibility put on the coaches. She told the Council about the head injury one of her daughters
33 went through.

34 J Russell said this is law now. There has to be a written policy.

35 S Bankhead said this City Code is consistent with State Code. She feels like protecting children needs to be done. Parents
36 need to protect their children. Our coaches are covered under the City's liability insurance.

37 J Russell asked what happens if the Council doesn't pass this policy.

38 S Bankhead said if a coach doesn't follow the State Code and the City doesn't have a policy the State will want to know why.
39 The parent is under no obligation to report injuries.

40 D Low asked if we could make it mandatory if there is a head injury that the child has to sit out the rest of the game.

41 S Bankhead suggested putting up a sign concerning head injuries. The coaches will have to remember to deal with this.

42 **Motion to continue until we have the written copy from the City Attorney: D Astle, D Calderwood second**

43 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**

44 **Nay: None**

45 **Abstain: None**

46 **Excused: None**

47
48 **Item No. 4. Ordinance No. 005-2011:** The Providence City Council will consider for adoption an ordinance amending
49 Providence City Code Title 7 Public Ways and Property by adding Chapter 11 Disposal of Public Property.

50 **Motion to approve: D Astle, J Russell second**

51 B Bagley suggested putting in a definition of surplus. Any item of real or personal property owned by the City declared to be
52 of no significant value or use to the City.

53 D Astle asked if there needed to be a list of all City owned property.

54 S Bankhead said this is City property that we feel is no longer needed that is capitalized.

55 D Astle suggested making a minimum amount of \$100 that doesn't need to be bid on.

56 B Bagley also would like for City employees to have first bid on certain items.

57 The Council went through the ordinance and made some verbiage and spelling changes.

58 D Astle feels that if disposal/leasing of properties are more than \$5,000 it should have to be approved by the City Council.

1 **Motion to continue this until the next scheduled meeting: J Russell, B Bagley second**

2 **Vote: Yea: D Astle, B Bagley, D Calderwood, D Low, J Russell**

3 **Nay: None**

4 **Abstain: None**

5 **Excused: None**

6
7 **STAFF REPORTS:**

8 R Eck reported on the flooding issues. The splash pad will be opened over Memorial Day weekend. He asked the Council if
9 they wanted the trees on Main Street to be the same or different trees on each block. He will put the same trees in on the next
10 block. Public Works will be doing some road work in the next couple of months. He requested that the Council approve the
11 purchase of a compactor for the City Cemetery.

12 S Bankhead talked to the Council about increasing our agreement with Comcast for two years and leasing two new color
13 copy machines from Les Olsen. Our summer recreation programs are in full swing.

14
15 **COUNCIL REPORTS:**

16 B Bagley told the Council that he has visited most of the businesses in the City. They seem to be doing well. He told the
17 Council about the Checkett business license situation.

18 D Astle reported on the Historic Preservation Commission meeting. He explained about the Memorandum of Understanding
19 between the Pioneer Heritage Committee and the Commission.

20 D Low talked about being a resident of Providence and the opportunity that he had as a kid to go Mountain Crest High
21 School. He told the Council about the volunteer group that is interested in creating a Farmers Market for Providence City.

22 J Russell thanked Keith Thompson for always coming to the Council meetings. He talked about Emergency Preparedness in
23 the City. He discussed the deer problem.

24 D Calderwood suggested going to our State Representative about the deer problem.

25 R Liechty reminded the Council of the budget workshop on Thursday and Friday. In the newsletter for June he has talked
26 about the deer problem.

27
28 **Motion to adjourn: J Russell, B Bagley second**

29 **Vote: Yea: B Bagley, D Low, D Astle, J Russell, D Calderwood**

30 **Nay: None**


31 **Abstain: None**

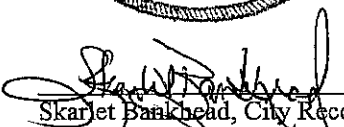
32 **Excused: None**

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34 Meeting adjourned at 8:50 p.m.

35 Minutes taken and prepared by Terri Lewis



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37
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39
40 
Ronald Liechty, Mayor


Skarlet Bankhead, City Recorder

City Council Meeting

May 24, 2011

Please Sign In

Name

City of Residence

Keith Thompson
Carol Hyman
Karl Seethaler

PROVIDENCE

Providence